

B. Remarks

1. Status Of The Application

Claims 1-19, 26-34, and 36-46 are pending in the application. All claims stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 15-16, 32-35, and 39-40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,864,180 ("Barracough"). Claims 1-6, 13-14, and 26-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Barracough in view of Japan Patent No. 03-221922 ("Yuichi") or vice versa.

Applicants hereby cancel claims 2, 15-18, 29-30, 32-34, 37-40, and 42-44 and add new claims 47-63. Applicants respectfully request reconsideration and withdrawal of the foregoing bases for rejection.

2. The Rejection Under 35 U.S.C. § 112 Is Moot With Respect To The Canceled Claims And Inapplicable To The Remaining Claims.

The examiner has rejected all of the pending claims under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement because the claims purportedly contain subject matter that was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. Office Action at 2. More particularly, the examiner appears to have taken the position that all of the pending claims include subject matter directed to etching both a layer of a first conductive material and a layer of a second conductive material using a single etchant, and that the specification does not enable claims directed to this subject matter. *Id.*

Applicants respectfully submit that this basis for rejection is moot with respect to claims 15-18, 29-30, 32-34, 38-40, and 42-44 on the ground that Applicants hereby cancel these claims.

Applicants respectfully traverse this basis for rejection as applied to claims 1-14, 19, 26-28, 31, 36-37, and 41 on the grounds that: (1) these claims do not recite etching both a layer of a first conductive material and a layer of a second conductive material using a single etchant; (2) the specification does not indicate that the present invention requires etching both a layer of a first conductive material and a layer of a second conductive material using a single etchant; and (3) Applicants have never indicated that either these claims or the present invention require etching both a layer of a first conductive material and a layer of a second conductive material using a single etchant. As such, Applicants submit that the foregoing rejection is inapplicable to these claims and should be withdrawn with respect thereto.

Based on the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of the pending claims under 35 U.S.C. § 112, first paragraph.

3. The Rejection Of Claims 15-16, 32-24, And 39-40 Under 35 U.S.C. § 103(a) Is Moot.

The examiner has rejected claims 15-16, 32-34, and 39-40 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,864,180 (“Barracough”). Applicants respectfully submit that this basis for rejection is moot on the ground that Applicants hereby cancel these claims.

4. The Rejection Of Claims 1-6, 13-14, 26-28, And 31 Under 35 U.S.C. § 103(a) Is Improper Because The References Relied On By The Examiner Cannot Be Combined To Yield The Subject Matter Of These Claims.

The examiner has rejected claims 1-6, 13-14, 26-28, and 31 under 35 U.S.C. § 103(a) as being unpatentable over Barracough in view of Japan Patent No. 03-221922 (“Yuichi”) or vice versa. Applicants respectfully traverse this basis for rejection on the ground that the references relied on by the examiner in rejecting the claims, regardless of whether taken individually or in

combination, do not teach the subject matter of these claims. Accordingly, Applicants respectfully request reconsideration and withdrawal of this basis for rejection.

Claim 1, as amended, recites:

A method for fabricating an electrical circuit, comprising the steps of:

depositing a layer of a first conductive material onto a surface of a flexible substrate, wherein said layer of a first conductive material is substantially transparent and wherein at least a portion of said substrate is translucent or transparent;

depositing a layer of a second conductive material onto said layer of a first conductive material;

selectively etching a portion of said layer of a second conductive material; and

selectively etching a portion of said layer of a first conductive material.

Claims 2-6, 13-14, and 26-28, and 31 depend from claim 1 and, therefore, incorporate all of the limitations recited therein. The examiner has rejected pending claim 1 under 35 U.S.C. § 103(a) on the sole basis that:

It would have been obvious to combine the two teachings [of Barraclough and Yuichi] and to construct a display device by, for example, sputtering a circuit (i.e. first conductive material) and a transparent film (comprising an InSnO₉(sub 2) . (N.B. The thin film devices taught by Barraclough will generally be flexible.)

Office Action at 3.

Applicants respectfully submit that the foregoing basis for rejection falls short at least because the combination of Barraclough and Yuichi does not teach all of the features recited in claim 1. In particular, neither Barraclough nor Yuichi teaches or suggests a method for making an electrical circuit involving the step of disposing conductive material onto a *flexible substrate*. The examiner's parenthetical comment to the contrary that the "thin film devices taught by Barraclough will generally be flexible" is without support, and it is incorrect. As Applicants have previously pointed out, Barraclough is directed to a process for forming thin-film circuit

devices on a substrate. Barraclough at col. 1, 11. 6-9. The only substrate material disclosed by Barraclough is alumina ceramic. Barraclough at col. 2, 11. 38-39. One skilled in the art would know that alumina ceramic is rigid, not flexible.

Yuichi does not compensate for the foregoing shortcoming of Barraclough. Yuichi is directed to a method for manufacturing display devices. English Translation of Yuichi Provided by USPTO (“Yuichi Trans.”) at p. 2, 11. 12-15. The only substrate material disclosed by Yuichi is a glass plate. *See, e.g.*, Yuichi Trans. at p. 4, 11. 12-13. A glass plate, of course, is not flexible. In sum, neither Barraclough nor Yuichi teaches or suggests a method for fabricating an electrical circuit on a flexible substrate.

As such, claim 1 is patentable over Barraclough and Yuichi, and Applicants respectfully request reconsideration and withdrawal of this ground for rejection. Because claims 2-14, 26-28, and 31 depend from and add further limitations to claim 1, Applicants submit that these claims are patentable over Barraclough and Yuichi, as well. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of those claims, as well.

5. Applicants’ Cancellation Of Claims Hereby Is Without Prejudice.


Applicants’ cancellation of claims hereby is solely for the purpose of expediting the processing of this application. Applicants traverse the rejections of the claims canceled hereby for reasons set forth in their responses to previous Office Actions that issued in connection with this application. Applicants expressly reserve the right to prosecute such claims and/or other claims reciting similar subject matter in one or more continuing applications.

6. Conclusion

Applicants respectfully submit that the application is in condition for allowance and respectfully request reconsideration thereof.

Respectfully submitted;

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